



10-28-04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	Examiner: Phuong N. Huynh
)	
Saxon)	Art Unit: 1644
)	
Application Serial No. 10/000,439)	Attorney's Docket No. 39754-0674A
)	
Filed: October 24, 2001)	Customer No. 25213
)	
For: FUSION MOLECULES AND TREATMENT OF IMMUNE DISEASE)	

EXPRESS MAIL LABEL NO. EL 976 543 770 US

Date Mailed: October 22, 2004

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Listed below or on an attached Supplemental Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form Supplemental PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
- ☐ (3) It is being filed before the mail date of the first Office Action on the merits.
-- OR --
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

☒ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

- ☒ a certification as specified in §1.97(e) is provided below; or
- ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; and
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Attorney's Docket No. 39754-0674A).

Respectfully submitted,

By: Leslie A. Mooi
Leslie A. Mooi (Reg. No. 37,047)

Dated: October 22, 2004

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OCT 22 2004

PTO/SB/08 (2/92)
Sheet 1 of 3

SUPPLEMENTAL FORM PTO-1449

Attorney's Docket No. 39754-0674A

Application Serial No. 10/000,439

INFORMATION DISCLOSURE STATEMENT

Applicant(s)

Saxon

(use several sheets if necessary)

Filing Date: October 24, 2001

Group Art Unit: 1644

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date (if appropriate)
	1.						

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Translation	
							YES	NO
	2.							

OTHER DOCUMENTS

(including author, title, date, pertinent pages, etc.)

Examiner Initials	Ref. No.	Title
	3.	Zhu et al., "A novel human immunoglobulin Fcγ-Fcε bifunctional fusion protein inhibits FcεRI-mediated degranulation", <i>Nature Medicine</i> , 8:(5) 518-521 (May 2002)
	4.	
	5.	
	6.	
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EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

*If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identical in the statement and relied upon for an earlier filing date under 35 U.S.C. §120. 37 C.F.R. §1.98 (d).



CERTIFICATION

(Attachment to Information Disclosure Statement)



37 C.F.R. §1.97(e)(1). **APPLICANT'S UNDERSIGNED ATTORNEY HEREBY CERTIFIES THAT** each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement; or



37 C.F.R. §1.97(e)(2). **APPLICANT'S UNDERSIGNED ATTORNEY HEREBY CERTIFIES THAT** no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement.

Respectfully submitted,

Dated: _____

Oct. 22, 2004

By: _____

Leslie Mooi
Leslie Mooi (Reg No. 37,047)